IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

T. KOBAYASHI, et al.

Serial No:

10/553,747

Filed:

OCTOBER 18, 2005

Title MAY 1 9 2006 MAY 1 9 2006

MOLECULAR DETECTION METHOD, MOLECULAR COUNTING METHOD, MOLECULAR LOCALZATION DETECTION METHOD, AND MOLECULAR DETECTION SYSTEM USED THEREFOR

Group AU: Examiner: Confirm. No: 1645 TBA 5938

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97 & 1.98

Mail Stop: AMEND – NO FEE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

May 19, 2006

Sir:

Pursuant to Applicants' duty of disclosure, enclosed please find a copy of an Official Action issued on February 21, 2006, in a counterpart Japanese application, together with an English translation of pertinent portions thereof. Also enclosed are copies of documents cited in this Official Action, English abstracts of the cited Japanese patent documents, and a partial translation of the cited article by Ushiki, et al. Please note that in addition to the enclosed documents, in the enclosed Official Action issued on February 21, 2006, Japanese Patent Publication No. 3386883 is also cited. No. 3386883 was submitted with the Information Disclosure Statement filed October 18, 2005, in the above-identified application, upon originally filing the above-identified application. Also enclosed herewith is an English translation of the International Preliminary Report on Patentability in connection with International (PCT) Application No. PCT/JP2004/005463, of which the above-identified application

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is a National Stage application filed under 35 USC 371. Still further enclosed is a Form PTO/SB/08A and B, listing the enclosed documents.

This Information Disclosure Statement is being submitted prior to a first Office Action on the merits in the above-identified application. Accordingly, requirements of 37 CFR 1.97(b) are satisfied.

In any event, the following Statement is made under 37 CFR 1.97(e):

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

To the extent that the enclosed documents are not in English, it is respectfully submitted that requirements of 37 CFR 1.98(a)(3) are satisfied by English language abstracts and/or partial translations of the cited documents, and/or a partial translation of the enclosed Official Action.

In view of the foregoing, it is respectfully submitted that all applicable requirements of 37 CFR 1.97 and 1.98 have been satisfied, in connection with each of the documents listed on the enclosed Form. Accordingly, consideration of the listed documents, upon examination of the above-identified application, is respectfully requested.

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Please charge any shortage of fees due in connection with the filing of this paper to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (case No. 1204.45527X00), or credit any excess fees paid to such Deposit Account.

Respectfully submitted,

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and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are require of information unless it contains a valid OMB control number. Substitute for form 1449A/PTO Complete if Known INFORMATION DISCLOSURE STATEMENT **BY APPLICANT** Application Number 10/553.747 Filing Date 10/18/2005 First Named Inventor May 19, 2006 Teruvuki KOBAYASHI et al Art Unit 1645 **Examiner Name** TBA luca ac manu chapte ac nacacearul

U.S. PATENT DOCUMENTS					
Examiner Initials'	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
		Number-Kind Code ² (if known)			Figures Appear
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FOREIGN PATENT DOCUMENTS						
		Foreign Patent Document			Pages, Columns, Lines, Where Relevant Passages	
Examiner Initials'	Cite No.1	Country Code ³ –Number ⁴ –Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	or Relevant Figures Appear	T ⁶
		JP 2003-021636	01/24/2003	N. Ozaki, et al.		_A_
		JP 2001-013103	01/19/2001	Y. Makino, et al.		Α
		JP 2003-0043036	02/13/2003	K. Otobe, et al.		Α
		JP 2000-230823	08/22/2000	T. Okada		· A
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Substitute for form 1449/PTO Complete if Known **Application Number** 10/553,747 INFORMATION DISCLOSURE Filing Date 10/18/2005 STATEMENT BY APPLICANT First Named Inventor Teruyuki KOBAYASHI et al. May 19, 2006 Group Art Unit 1645 (use as many sheets as necessary) Examiner Name **TBA**

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Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Translation of the International Preliminary Report on Patentability, for International Application No. PCT/JP2004/005463 (mailed March 9, 2006) 4815/19/06	
		Japanese Official Action, issued February 21, 2006, for Application No. 2005-505471.	Т
		T. Ushiki, et al., "Observation of Structure of DNA on Atomic Level Using Ultra-smooth Sapphire Substrate", Tokyo Institute of Technology, Materials and Structures Laboratory, Collaboration Promotion Section, June 30, 1999, p. 127 1913 5/191/06	Р
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